

In this manner, the cells defined by claim 1 are created, are obtained, and maintained as a distinct cell line via the method of claim 15.

Each proposed sub-grouping of claims [Nos. 1-14 and 15-17 respectively] therefore identifies and recites merely one particular subset and aspect of the subject matter as a whole which is applicant's invention. Also, as presently worded, all the pending claims truly represent alternative parts of a single entity - genetically modified human microglia cells; and all the presently pending claims, regardless of whether defined as a method or composition of matter, relate to each other in an intimate and direct manner.

All of pending claims 1-17 respectively therefore constitute a single invention defined in the alternative; and these pending claims, cumulatively and collectively, provide multiple delineations of genetically modified human microglia cells whose existence originate using a common methodology. In this manner, all of the presently pending claims are intimately related to each other; all commonly share the similar features; and all share a single inventive concept and basis, regardless of the particular details recited within the individual claim. The entirety of claims 1- 17 thus constitutes one unitary invention.

2. The Examiners have also stated that the cells and method defined by claim 1-17 collectively are not coextensive in detail and would require separate searches of different technical fields. Applicant respectfully submits that this view and position is incorrect.

Contrary to the Examiners' stated view, there is only one broad invention and particularly defined cell family - the genetically modified human microglia cell and cell line - which is the resulting product of the method provided for its generation. The recited method for generating the genetically modified cell and the resulting cell composition created by the method share many attributes and characteristics in common. Thus, while some individual details and the claim format may vary among claims 1-17, all share a commonly held core set of attributes.

Clearly therefore, only one comprehensive search performed within the same technical art and scientific field would be needed, whether carried out by computer program or by hand; and only one search effort by the Examiners need be made in order to identify whatever relevant and material prior art may pertain to applicant's defined invention. Also, any prior art found which is relevant and material to the genetically modified human microglia cell would concomitantly pertain directly and intimately to the recited method for that cell's generation.

*In sum*, Applicant therefore respectfully submits and maintains that the Examiners have inadvertently misapplied the standards and facts needed for now imposing a Restriction Requirement upon presently pending original claims 1-17. Furthermore, applicant affirms that original claims 1-17 are intimately and directly related in sum and substance; that each of claims 1- 17 recites similar requirements which differ only incidentally in the details of the alternative definition and not in the substantive essentials; and that all the presently pending claims collectively constitute a single invention which has been defined in the alternative to preserve the true scope and value of applicant's invention. Applicants also submit that there is no compelling reason for now demanding a Restriction of presently pending original claims 1-17 because all these claims are alternative definitions constituting one, unitary invention.

For all the reasons stated herein, applicant respectfully requests that the Examiners reconsider their stated position and withdraw the presently imposed Restriction Requirement completely and in its entirety. The Examiners are also invited to call applicant's undersigned attorney should they feel that such a telephone call would further the prosecution of the present application.

Respectfully submitted,

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